

Judge Franklin D. Burgess

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDUARDO CRUZ-GARCIA,

Defendant.

NO. CR05-5416FDB

ORDER  
GRANTING STIPULATED  
MOTION TO CONTINUE  
TRIAL DATE AND  
PRETRIAL MOTIONS DATE


Upon the stipulation and motion of the parties to continue the trial and pretrial motions due date in the above-captioned case, and based upon the stipulated and agreed facts set forth in the parties' motion, which are hereby incorporated by reference, the Court finds that such a continuance would serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial; therefore,

IT IS HEREBY ORDERED that the trial date be continued to January 30, 2006. The period of delay resulting from this continuance from November 7, 2005 up to and including the new trial date of January 30, 2006, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(8)(A) and (B) for the purpose of computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C. § 3161-3174.

1 IT IS FURTHER ORDERED that the pretrial motions due date be extended to  
2 November 23, 2005.

3 DATED this 17<sup>th</sup> day of October, 2005.  
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FRANKLIN D. BURGESS  
United States District Judge

Presented by:

14 s/ Paula T. Olson \*  
15 PAULA T. OLSON  
16 Attorney for Defendant  
17 Eduardo Cruz-Garcia

\*Telephonic Approval

20 s/ Michael Dion  
21 MICHAEL DION  
22 Assistant United States Attorney  
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